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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

In Re:  
Dorothy J. Knight  
Debtor.

Case No. 19-13496  
Honorable Carol A.Doyle  
Chapter 13

**NOTICE OF MOTION**

To:

Dorothy J. Knight  
27 N. Latrobe Ave  
Unit 2  
Chicago, IL 60644  
Via U.S. Mail  
Debtor.

David M. Siegel  
David M. Siegel & Associates  
790 Chaddick Drive  
Wheeling, IL 60090  
Via Court Electronic  
Notification

Tom Vaughn  
200 S. Michigan Ave. 13th Floor  
Chicago, IL 60604  
Via Court Electronic Notification

**PLEASE TAKE NOTICE** that on the 1st day of September, 2020 at 9:30a.m, I will appear before the Honorable Carol A.Doyle or any judge sitting in that judge's place,, and present the motion of Ally Financial to modify the automatic stay, a copy of which is attached.

**This motion will be presented and heard telephonically.** No personal appearance in court is necessary or permitted. To appear and be heard telephonically on the motion, you must set up and use an account with Court Solutions, LLC. You can set up an account at [www.Court-Solutions.com](http://www.Court-Solutions.com) or by calling Court Solutions at (917) 746-7476.

**If you object to this motion** and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

Ally Financial  
By: /s/ James M. Philbrick  
James M. Philbrick  
Attorney No. 6244743  
Law Offices of James M. Philbrick  
P.O. Box 351  
Mundelein, Illinois 60060  
847/949-5290  
[jamesphilbrick@comcast.net](mailto:jamesphilbrick@comcast.net)

**CERTIFICATE OF SERVICE**

I, James M. Philbrick, an attorney, certify that I served a copy of this notice and the attached motion on each entity shown on the attached list at the address shown and by the method indicated on the list above on the 21st day of August , 2020, before the hour of 5:00 p.m.

/s/ James M. Philbrick

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Chapter 13

**MOTION TO MODIFY STAY**

NOW COMES Ally Financial, by and through its attorney, JAMES M. PHILBRICK, of THE LAW OFFICES OF JAMES M. PHILBRICK, and as and for its Motion to Modify Stay, states as follows:

1. That Ally Financial is a creditor-claimant of the Debtor and brings this motion pursuant to 11 U.S.C. §362(d).
2. That on or about December 16, 2017, the Debtor executed an agreement for an interest in one 2014 BUICK LACROSSE, VIN 1G4GB5G33EF152800.
3. That Ally Financial has a properly perfected interest in the collateral in accordance with the Illinois Motor Vehicle Act, and said lien was noted upon the Certificate of Title in connection with the aforesaid motor vehicle.
4. That on May 9, 2019, the Debtor filed a voluntary petition under Chapter 13 of Title 11 of the United States Code.
5. That the current payoff balance for the said vehicle is approximately \$21,200.87.
6. That the current retail value for the said vehicle is approximately \$11,600.00.
7. That the Debtor has no equity in the said vehicle.
8. That the Debtor is to be the disbursing agent for payments to Ally Financial. That the Debtor's installment payments are \$414.56 a month, and the debtor has defaulted in making installment payments for the months of May 2019 through July 2020, for a total default of \$6,899.40, which amount includes attorney fees and costs of \$681.00.
9. That the Debtor have not provided Ally Financial with proof of full coverage insurance on the said vehicle.
10. That the vehicle is not necessary for an effective reorganization.

11. That Ally Financial's collateral is a depreciating asset.

12. That Ally Financial lacks adequate protection in its collateral, and therefore should be allowed to immediately enforce and implement any Order Modifying the Automatic Stay that this Honorable Court may enter, notwithstanding Federal Bankruptcy Rule 4001(a)(3).

WHEREFORE, Ally Financial prays this Honorable Court for the entry of the attached order modifying the automatic stay of 11 U.S.C. §362 so as to allow Ally Financial to take possession of one 2014 BUICK LACROSSE, VIN 1G4GB5G33EF152800, and to enforce its rights against the security in accordance with the agreement and/or applicable state laws; and to find that Federal Rule 4001(a)(3) of the Federal Rules of Bankruptcy Procedure is non-applicable and thus Ally Financial may immediately enforce and implement the attached Order Modifying the Automatic Stay; and for such other and further relief as the Court may deem just and proper.

Ally Financial

By: /s/ James M. Philbrick  
One of its Attorneys

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